



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2130

DATE SCANNED 11-22-10

SCANNER NO. 2

SCAN OPERATOR JMP

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2010 JUN -9 A 11: 55

June 9, 2010

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR *AP*

FROM: PATRICIA CARMONA *PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ACTING ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *me* NATALIYA IOFFE/RHIANNON MAGRUDER/IAN WANDNER *Dim* *W*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 APRIL
QUARTERLY REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 April Quarterly Report in accordance with 2 U.S.C. § 434(a). The April Quarterly Report was due on April 15, 2010.

The committees listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date or failed to file the report. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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6/9/2010 11:49 AM

Federal Election Commission

Reason to Believe Circulation Report

2010 APRIL QUARTERLY Not Election Sensitive 04/15/2010 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2126	C00392290	ACE CASH EXPRESS INC PAC		DAVID DODSON	\$259,403	1	4/21/2010	6	\$41,391	\$400
2127	C00161570	AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC		MICHELLE LYNN CHANDLER	\$136,070	0	4/28/2010	13	\$42,732	\$460
2128	C00406041	ARLINGTON DEMOCRATIC JOINT FEDERAL CAMPAIGN		JEAN MARSHALL CRAWFORD	\$123,749	0	5/5/2010	20	\$20,000	\$210
2129	C00204388	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)		IRA LAMEL	\$102,867	2	4/30/2010	15	\$4,501	\$150
2130	C00467506	BOWERS FOR CONGRESS	BOWERS, RUSSELL WESLEY	RICHARD WAYNE BLAKE	\$187,344	0	4/26/2010	11	\$108,849	\$2,035
2131	C00451104	BYRON LEE FOR CONGRESS	LEE, BYRON LYNN	LESTER DUNN JR.	\$297,406	1	4/23/2010	8	\$12,200	\$187
2132	C00420125	CHIANG PATEL AND YERBY INC PAC		DAVID W. HAYS	\$105,653	0	4/27/2010	12	\$18,750	\$170
2133	C00463976	DEDE FOR CONGRESS INC	SCOZZAFAVA, DIERDRE K.	DIERDRE K. SCOZZAFAVA	\$762,971	0		Not Filed	\$254,324 (est)	\$8,800
2134	C00426320	LIBERTARIAN PARTY OF INDIANA		TODD SINGER	\$132,268	0	4/29/2010	14	\$24,532	\$180

2136	C00467670	PAGLIUCA FOR SENATE	PAGLIUCA, STEVE	SANJAY SAIMI	\$16,692,686	0	5/18/2010	Not Filed	\$32,813	\$990
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100-26518-3
Threshold 26518-3

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	Receipt Date	Days Late	LOA 6/9/2010	Penalty
2137	C00252825	PLUMBERS UNION LOCAL 690 POLITICAL ACTION COMMITTEE		JOHN I. KANE	\$434,238	0 4/21/2010	6	\$85,723	\$1,100
2138	C00452995	POSTMA FOR CONGRESS	POSTMA, JAMES LEE	JAMES LEE POSTMA	\$167,294	0	Not Filed	\$41,824 (est)	\$990

2142	C00466771	SURGICAL INSTITUTE OF READING LP-PAC; THE		STEPHEN P. BANCO	\$119,149	0	Not Filed	\$119,149 (est)	\$4,950
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Reason To Believe Recommendation - 2010)
April Quarterly Report for the)
Administrative Fine Program:)

ARLINGTON DEMOCRATIC JOINT) AF# 2128
FEDERAL CAMPAIGN, and JEAN)
MARSHALL CRAWFORD as treasurer;)
BI-COUNTY POLITICAL ACTION) AF# 2129
COMMITTEE (FKA SUFFOLK PAC), and)
IRA LAMEL as treasurer;)
LIBERTARIAN PARTY OF INDIANA,) AF# 2134
and TODD SINGER as treasurer;)
AMERICAN PUBLIC POWER) AF# 2127
ASSOCIATION, PUBLIC OWNERSHIP)
OF ELECTRIC RESOURCES PAC, and)
CHANDLER, MICHELLE LYNN as)
treasurer;)
CHIANG PATEL AND YERBY INC PAC,) AF# 2132
and DAVID W HAYS as treasurer;)
BOWERS FOR CONGRESS, and) AF# 2130
RICHARD WAYNE BLAKE as treasurer;)
BYRON LEE FOR CONGRESS, and) AF# 2131
LESTER DUNN JR as treasurer;)

ACE CASH EXPRESS INC PAC, and) AF# 2126
DAVID DODSON as treasurer;)
PLUMBERS UNION LOCAL 690) AF# 2137
POLITICAL ACTION COMMITTEE, and)
KANE, JOHN I. as treasurer;)
DEDE FOR CONGRESS INC, and) AF# 2133
SCOZZAFAVA, DIERDRE K as treasurer;)
PAGLIUCA FOR SENATE, and SANJAY) AF# 2136
SAIMI as treasurer;)

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POSTMA FOR CONGRESS, and JAMES AF# 2138
LEE POSTMA as treasurer;

SURGICAL INSTITUTE OF READING) AF# 2142
LP-PAC; THE, and STEPHEN P BANCO)
as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on June 10, 2010 the Commission took the
following actions on the Reason To Believe Recommendation - 2010 April Quarterly
Report for the Administrative Fine Program as recommended in the Reports Analysis
Division's Memorandum dated June 09, 2010, on the following committees:

AF#2128 Decided by a vote of 6-0 to: (1) find reason to believe that ARLINGTON
DEMOCRATIC JOINT FEDERAL CAMPAIGN, and JEAN MARSHALL
CRAWFORD as treasurer violated 2 U.S.C. 434(a) and make a preliminary
determination that the civil money penalty would be the amount indicated on the report;
(2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen,
Walther, and Weintraub voted affirmatively for the decision.

AF#2129 Decided by a vote of 6-0 to: (1) find reason to believe that BI-COUNTY
POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC), and IRA LAMEL as
treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil
money penalty would be the amount indicated on the report; (2) send the appropriate

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letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2134 Decided by a vote of 6-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2127 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC, and CHANDLER, MICHELLE LYNN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2132 Decided by a vote of 6-0 to: (1) find reason to believe that CHIANG PATEL AND YERBY INC PAC, and DAVID W HAYS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2130 Decided by a vote of 6-0 to: (1) find reason to believe that BOWERS FOR CONGRESS, and RICHARD WAYNE BLAKE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2131 Decided by a vote of 6-0 to: (1) find reason to believe that BYRON LEE FOR CONGRESS, and LESTER DUNN JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2126 Decided by a vote of 6-0 to: (1) find reason to believe that ACE CASH EXPRESS INC PAC, and DAVID DODSON as treasurer violated 2 U.S.C. 434(a) and

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make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2137 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS UNION LOCAL 690 POLITICAL ACTION COMMITTEE, and KANE, JOHN I. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2133 Decided by a vote of 6-0 to: (1) find reason to believe that DEDE FOR CONGRESS INC, and SCOZZAFAVA, DIERDRE K as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2136 Decided by a vote of 6-0 to: (1) find reason to believe that PAGLIUCA FOR SENATE, and SANJAY SAIMI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2138 Decided by a vote of 6-0 to: (1) find reason to believe that POSTMA FOR CONGRESS, and JAMES LEE POSTMA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2142 Decided by a vote of 6-0 to: (1) find reason to believe that SURGICAL INSTITUTE OF READING LP-PAC; THE, and STEPHEN P BANCO as treasurer

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violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Coremissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 10, 2010

Date

Shawn Woodhead Werth

Shawn Woodhead Werth

Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 11, 2010

Richard Wayne Blake, in official capacity as Treasurer
Bowers for Congress
P.O. Box 2485
Prescott, AZ 86302

C00467506
AF#: 2130

Dear Mr. Blake:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through March 31, 2010, shall be filed no later than April 15, 2010. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on April 26, 2010, eleven (11) days late.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. § 437g(a)(4). On June 10, 2010, the FEC found that there is reason to believe ("RTB") that Bowers for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before April 15, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$2,035. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$2,035 is due within forty (40) days of the finding, or by July 20, 2010, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$108,849
Number of Days Late: 11
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the

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Commission's RTB finding, or July 20, 2010. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or depositions. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Bowers for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

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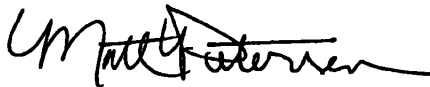
3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiamon Magruder in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen
Chairman

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$2,035 for the 2010 April Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by July 20, 2010. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Bowers for Congress

FEC ID#: C00467506

AF#: 2130

PAYMENT DUE DATE: July 20, 2010

PAYMENT AMOUNT DUE: \$2,035

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2010 JUL 20 A 10 40

RUSTY BOWERS

FOR CONGRESS

P.O. BOX 2485

Prescott, Arizona 86302

July 19, 2010

Federal Elections Commission
Office of Administrative Review
999 E Street NW
Washington, DC 20463

RE: C00467506 AF#: 2130

Dear Sirs:

Please abate the civil money penalty \$2,035. In February of the current year the campaign completed an update to the web site www.rustycountry.com. The purpose of the upgrade was to be able to accept contributions over the internet. We had an independent contractor in coordination with our Campaign Manager work out all of the appropriate details. I requested of our Campaign Manager over several weeks in March the details of the contributions we had received via the internet, all to no avail. He did send them around the first of April. They were such a mess. The internet company that accepted the donations would send an e-mail after each transaction containing the appropriate data, then would aggregate the contributions into one daily deposit. Because the Campaign Manager sent only part of the e-mail and part of the total contributions it was impossible to know who had contributed and in what amount.

The internet contributions were a major part of the quarter's contributions using the supplied data; I could not generate a report that was accurate. The Campaign Manager and I were working on resolving the issues in early April, when Mr. Bowers terminated him. At Mr. Bowers's direction he and I set about opening new bank accounts and restoring the Campaign Office to the proper order. Once the Campaign Office was functioning it was determined we needed a lot more information to complete an accurate report. We enlisted the bank, the company that authorized the credit cards and the website designer. After much trial and error we secured the information and filed an accurate report.

I did my best to complete the report in a timely fashion but was hampered by the fact it could not be accurate until all of the correct information was secured. To file an inaccurate report opens one up to the slings and arrows of the completion and to the Federal Election Commission whose audit would result in the assessment of fines and penalties.

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The contribution information comes to me now and I reconcile the banks and input the information into QuickBooks on a weekly basis. There should not be another episode of failure to file the report on a timely basis.

Richard Blake

A handwritten signature in black ink that reads "Richard Blake". The signature is written in a cursive style with a large, looping "R" and a long, sweeping underline.

Campaign Treasurer for
Bowers for Congress

10092651831



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

July 20, 2010

Richard Wayne Blake, in his official capacity as Treasurer
Bowers for Congress
P.O. Box 2485
Prescott, AZ 86302

C00467506
AF# 2130

Dear Mr. Blake:

On July 20, 2010, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "Dayna C. Brown". The signature is fluid and cursive.

Dayna C. Brown
Acting Reviewing Officer
Office of Administrative Review

10092651832

**FEC OFFICE OF
ADMIN REVIEW**

2010 JUL 21 A 11: 35

Date: July 21, 2010

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 2130

Committee Name: Bowers for Congress

Committee ID#: C00467506

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

Attachments:

**Copy of RTB Circulation Report, dated June 9, 2010 and RTB Certification,
dated June 10, 2010: Previously Forwarded**

Attachment #: N/A

Certified Return Receipt (to be forwarded at later date if not yet received)(Y/N): Y

Attachment #: 1

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2010 April Quarterly Report Prior Notice, dated March 26, 2010.

-RTB Letter, dated June 11, 2010.

Attachment #: 3

Other RAD Information: (Y/N): Fax Transmittal

Attachment#: 4

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DECLARATION OF NATALIYA IOFFE

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
 2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Bowers for Congress:
 - A) Prior Notice, dated March 26, 2010, referencing the 2010 April Quarterly Report (sent via electronic mail to: bowers4congress@gmail.com);
 - B) Reason-to-Believe Letter, dated June 11, 2010, referencing the 2010 April Quarterly Report.
 3. I hereby certify that I have searched the Commission's public records and find that Bowers for Congress filed the 2010 April Quarterly Report with the Commission on April 26, 2010.
 4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided.
- This declaration was executed at Washington, D.C. on the 21st day of July, 2010.



Nataliya Ioffe
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



APRIL QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES
PARTIES AND PACS

March 26, 2010

CURRENT REPORT DUE

REPORT	CLOSING OF BOOKS ¹	REPORTING DEADLINE	FILING DEADLINE
April Quarterly	03/31/10	04/15/10	04/15/10

REPORTING SCHEDULE FOR REMAINDER OF 2010

REPORT	CLOSING OF BOOKS ¹	REPORTING DEADLINE	FILING DEADLINE
July Quarterly	06/30/10	07/15/10	07/15/10
October Quarterly	09/30/10	10/15/10	10/15/10
Pre-General ²	10/13/10	10/18/10	10/21/10
Post-General	11/22/10	12/02/10	12/02/10
Year-End	12/31/10	01/31/11	01/31/11

Supplemental Filing Information is available:

- [Congressional Committees](#)
- [Parties and PACs](#)

¹A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

² **Parties and PACs:** required only if committee makes contributions or expenditures in connection with the general election during the reporting period.

Congressional Committees: campaign committees of a candidate who participates in the general election must file pre-and post-general election reports.

2010 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates ¹ (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2010. ²

Campaigns that raise or spend more than \$5,000 for the 2010 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2010, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 82-84 [PDF]

Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 81 [PDF]

¹ Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

² If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z [PDF].

PRE- AND POST-ELECTION REPORTS

A committee whose candidate participates in a 2010 state primary, nominating convention or runoff election -- even if unopposed -- must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The campaign committee of a candidate who participates in the general election must file pre- and post-general election reports.

See 11 CFR 104.5(a)(2).

- Web Page: 2010 Congressional Pre-Primary Reporting Dates
- The Record: January 2010 issue [PDF]
- Candidate Guide, pp. 79-80 [PDF]

48 HOUR NOTICES ON CONTRIBUTIONS

Notices are required if the committee receives any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running.

The notices must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). Campaign committees that file electronically **MUST** submit their 48-hour notices electronically. See 11 CFR 104.5(f).

- Web Page: Electronic Filing Page
- Web Page: Link to Paper Forms (for downloading and printing)
- Form 6 Fax numbers
 - Senate campaigns (Secretary of the Senate): (202) 224-1851
 - House Campaigns (FEC): (202) 219-0174
- Campaign Guide: Candidate Guide, p. 80 [PDF]

COMPLIANCE

Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.

See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, p. 7 [PDF]

Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).³

See 11 CFR 111.30.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 81-82 [PDF]

³ Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,000 during the applicable reporting period (see page 1 of this notice).
See 11 CFR 104.22.

- The Record: March 2009 issue [PDF]
- Federal Register: Notice 2009-03 (February 17, 2009) [PDF]

2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Candidate Guide, p. 79 [PDF]

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.⁴ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

⁴ Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

September 7, 2010

Richard Wayne Blake, in his official capacity as Treasurer
Bowers for Congress
Post Office Box 2485
Prescott, AZ 86302

C00467506
AF# 2130

Dear Mr. Blake:

On June 10, 2010, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Bowers for Congress and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to timely file the 2010 April Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$2,035 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, U.S. Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

Attachment

10092651839



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 2, 2010

MEMORANDUM

To: The Commission

Through: Alec Palmer
Acting Staff Director

From: Patricia Carmona
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2130 – Bowers for Congress
and Richard Wayne Blake, in his official capacity as Treasurer (C00467506)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

10092651840



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 2, 2010

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2130 – Bowers for Congress and Richard Wayne Blake, in his official capacity as
Treasurer (C00467506)

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$2,035 civil money penalty.

Reason-to-Believe Background

On June 10, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 April Quarterly Report and made a preliminary determination that the civil money penalty was \$2,035, based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on June 11, 2010 of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of an authorized committee of a candidate shall file a report for the period ending March 31 no later than April 15. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on the prescribed filing date to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e).

Respondents' Challenge and Analysis

On July 20, 2010, the Commission received the written response ("challenge") from the Treasurer requesting that the fine be abated. He states that in February the campaign upgraded its website to allow for the receipt of contributions via the internet, with an independent contractor and the Campaign Manager coordinating the details. For several weeks in March he requested from the Campaign Manager the details of the contributions received via the internet, to no avail. When he finally received the information around the April 1, only part of the needed information was sent, making it impossible to determine who contributed in what amount. The Candidate terminated the Campaign Manager in early April, opened new bank accounts and restored the Campaign Office to proper order. After receiving assistance from the bank, the company that authorized the credit cards, and the website designer, the information was obtained and an accurate report was filed. Because the internet contributions were a major part of the contributions received for the quarter, an accurate report could not be generated until the accurate information was secured, and filing an inaccurate report would have opened the

10092651841

Committee up to a Commission audit which would result in the assessment of fines and penalties.

The April Quarterly Report was filed on April 26, 11 days late.

Although Mr. Blake served as Treasurer and Custodian of Records, it appears that another Committee employee, the Campaign Manager, was the only person who could access a large portion of the data needed to file the April Quarterly Report because this person had exclusive access to the contributions received via the Committee's internet website. Notwithstanding who the Committee determined would receive the internet contribution data needed to complete its report, the regulations are clear that the Treasurer shall be personally responsible for the timely and complete filing of reports, as well as the accuracy of the information they contain. 11 C.F.R. § 104.14(d).

Negligence and unavailability of staff are included at 11 C.F.R. § 111.35(d) as examples of circumstances that are not considered reasonably unforeseen and beyond the respondents' control. The other issue raised in the challenge (the Treasurer now receives contribution information directly, and reconciles and inputs the information on a weekly basis) also does not fall within the list of grounds enumerated at 11 C.F.R. § 111.35(b). These are (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances.

The Reviewing Officer, therefore, recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,035.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2130 involving Bowers for Congress and Richard Wayne Blake, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2130 that Bowers for Congress and Richard Wayne Blake, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,035; and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

Attachments

Attachment 1 – Challenge Received from Respondents
Attachment 2 – Declaration from RAD
Attachment 3 – Declaration from OAR

DECLARATION OF DAYNA C. BROWN

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2010 April Quarterly Report is due April 15, 2010. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on April 15 to be timely filed.
3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - (a) Pages 1 and 3 of the paper copy of the amended Statement of Organization for Bowers for Congress and Richard Wayne Blake, in his official capacity as Treasurer. According to the Commission's records, the document is dated October 16, 2009 and was received on October 21, 2009. Lines 7 and 8 list Richard W. Blake and Richard Wayne Blake as the Custodian of Records and Treasurer, respectively; and
 - (b) Page 1 of the Summary Page for the 2010 April Quarterly Report electronically filed by Bowers for Congress and Richard W. Blake, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from January 1 through March 31, 2010, and was received on April 26, 2010.
4. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 2nd of September, 2010.



Dayna C. Brown
Reviewing Officer
Office of Administrative Review
Federal Election Commission

10092651843

RECEIVED
FEC MAIL CENTER

2009 OCT 21 AM 9:23

FEC
FORM 1

STATEMENT OF
ORGANIZATION

Office Use Only

1. NAME OF
COMMITTEE (in full)

☐ (Check if name
is changed)

Example: If typing, type
over the lines.

12FE4M5

HOUSE FOR CONGRESS

ADDRESS (number and street)

PO BOX 2485

☐ (Check if address
is changed)

PRINCETON

IN

86302

CITY

STATE

ZIP CODE

COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)

☐ (Check if address
is changed)

HOUSEFORCONGRESS@GMAIL.COM

COMMITTEE'S WEB PAGE ADDRESS (URL)

☐ (Check if address
is changed)

2. DATE

10 / 16 / 2009

3. FEC IDENTIFICATION NUMBER

C00467506

4. IS THIS STATEMENT

NEW (N)

OR

☒

AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Richard W. Blake

Signature of Treasurer

Richard W. Blake

Date

10 / 16 / 2009

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 02/2009)

290301800002651844

Write or Type Committee Name

Bowens for Congress C00467506

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Mailing Address

CITY

STATE

ZIP CODE

Relationship: ☐ Connected Organization ☐ Affiliated Committee ☐ Joint Fundraising Representative ☐ Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

Mailing Address

Title or Position

CITY

STATE

ZIP CODE

TREASURER

Telephone number

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name
of Treasurer

Mailing Address

Title or Position

TREASURER

Telephone number

290301896092651845

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)USE FEC MAILING LABEL
OR TYPE OR PRINTExample: If typing, type
over the lines

BOWERS FOR CONGRESS

ADDRESS (number and street)

PO BOX 2485

Check if different
than previously
reported. (ACC)

PRESCOTT

AZ

86302

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00467506

3. IS THIS
REPORT☒NEW
(N)

OR

☐AMENDED
(A)

AZ

01

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- ☒ April 15 Quarterly Report (Q1)
- ☐ July 15 Quarterly Report (Q2)
- ☐ October 15 Quarterly Report (Q3)
- ☐ January 31 Year-End Report (YE)

☐ Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

☐
☐

Primary (12P)

Convention (12C)

☐
☐

General (12G)

Special (12S)

☐
☐

Runoff (12R)

Election on

in the
State of

(c) 30-Day POST-Election Report for the:

☐
☐

General (30G)

Election on

☐
☐

Runoff (30R)

☐
☐

Special (30S)

in the
State of

5. Covering Period

01

01

2010

through

03

31

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Mr. Richard W Blake

Signature of Treasurer

Electronically Filed by Mr. Richard W Blake

Date

04

26

2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

FE5AN018

10092651846



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 4, 2010

MEMORANDUM

To: The Commission

Through: Alec Palmer
Acting Staff Director

From: Patricia Carmona
Chief Compliance Officer

Dayna C. Brown *pub*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2130 – Bowers for Congress and Richard Wayne Blake, in his official capacity as Treasurer (C00467506)

On June 10, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 April Quarterly Report and also made a preliminary determination that the civil money penalty was \$2,035 based on the schedule of penalties at 11 C.F.R. § 111.43.

On July 20, 2010, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated September 2, 2010 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$2,035 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

10092651847

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2130 involving Bowers for Congress and Richard Wayne Blake, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2130 that Bowers for Congress and Richard Wayne Blake, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,035; and
- (3) Send the appropriate letter.

10092651848

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation –) AF 2130
Bowers for Congress and Richard Wayne)
Blake, in his official capacity as treasurer)
(C00467506))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on October 15, 2010, the Commission decided by a vote of 6-0 to take the following actions in AF 2130:

1. Adopt the Reviewing Officer recommendation for AF# 2130 involving Bowers for Congress and Richard Wayne Blake, in his official capacity as treasurer, in making the final determination.
2. Make a final determination in AF# 2130 that Bowers for Congress and Richard Wayne Blake, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$2,035.
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision

Attest:

October 15, 2010
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

10092651849



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**Richard Wayne Blake, in his official capacity as Treasurer
Bowers for Congress
P.O. Box 2485
Prescott, AZ 86302**

**C00467506
AF# 2130**

Dear Mr. Blake:

On June 10, 2010, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Bowers for Congress and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to timely file the 2010 April Quarterly Report. By letter dated June 11, 2010, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$2,035 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On July 20, 2010, the Office of Administrative Review received the written response from you, in your official capacity as Treasurer, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Bowers for Congress and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$2,035 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on September 7, 2010.

On October 15, 2010, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Bowers for Congress and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$2,035. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the final determination recommendation is attached.

The \$2,035 payment for the civil money penalty was received on October 15, 2010.

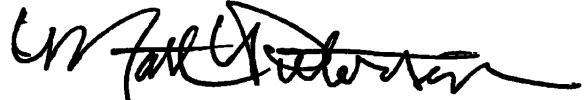
The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days

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from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Matthew S. Petersen", written over a horizontal line.

Matthew S. Petersen
Chairman

Attachment

10092651851

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Bowers for Congress

FEC ID#: C00467506

AF#: 2130

PAYMENT DUE DATE: July 20, 2010

PAYMENT AMOUNT DUE: \$2,035

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 002 \$ 000203500 BA# 1 10-15-10 20 9



us bancorp.

Bowers For Congress
2731 N Power Road
Suite 102-208
Mesa, AZ 85215
480-241-0916

Wells Fargo Bank
2854 N POWER RD
MESA, AZ 85215
480-396-3236

6011

DATE 10/7/2010

91-02711221

PAY TO THE
ORDER OF

\$ 2,035.00

Federal Election Commission

Two Thousand Thirty-Five and 00/100 *****DOLLARS

Federal Election Commission
PO Box 978058
St. Louis, MO 63197-8000

Richard S. Bowers

FEC ID# C00467506

MEMO



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2130

DATE SCANNED 11-22-10

SCANNER NO. 2

SCAN OPERATOR JMK

10092651853